

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

SUSAN FEFFER,
4928 Little Falls Road
Arlington, VA 22207

Plaintiff,

V.

Case No.: 1:22-cv-275

HARRIS TEETER SUPERMARKETS, INC.,
701 Crestdale Road
Matthews, NC 28105

Defendant.

NOTICE OF AND PETITION FOR REMOVAL

Petitioner/Defendant HARRIS TEETER SUPERMARKETS, INC., (“Defendant”) by counsel, and pursuant to 28 U.S.C. §1441 *et. seq.*, hereby files this Notice of and Petition for Removal of this action, from the Circuit Court for Arlington County, Virginia, in which it is now pending, to the United States District Court for the Eastern District of Virginia (“Petition”), and in support thereof, respectfully states as follows:

1. Defendant has been named in a suit filed in the Circuit Court for Arlington, Virginia, Case No.: CL22-438. Suit was filed on February 4, 2022.
2. Defendant was served or otherwise provided notice of the Summons and Complaint on February 21, 2022. Therefore, this Notice and Petition is timely pursuant to Title 28 U.S.C. § 1446(b)(1).
3. A Copy of the Summons, Complaint, and all related documents, as filed in the Circuit Court for Arlington County, are attached as **Exhibit A**.

4. The above-entitled matter is a civil action for premises liability in which the Plaintiff alleges Defendant's negligence in connection with an incident that occurred on March 7, 2020, within the boundaries of Arlington County, Virginia.

5. Plaintiff's Complaint demands damages in the amount of Seven Hundred Fifty Thousand Dollars (\$750,000.00).

6. As alleged in the Complaint, Plaintiff is a current resident of Arlington, Virginia, located in Arlington County.

7. As further alleged in the Complaint, Defendant Harris Teeter Supermarkets, Inc. is a North Carolina corporation with a principal place of business in Matthews, North Carolina.

8. As demonstrated above, the above-entitled action is one in which this Court has jurisdiction pursuant to Title 28 U.S.C. §1332(a)(1) as there is complete diversity among the parties. In addition, the amount in controversy exceeds the jurisdictional threshold of \$75,000.00 pursuant to Title 28 U.S.C. § 1332(a). Therefore, Defendant is entitled to remove this action to this Court under Title 28 U.S.C. §1441(b).

9. WHEREFORE, Petitioners/Defendants HARRIS TEETER SUPERMARKETS, INC., respectfully requests that the above-entitled action be removed from the Circuit Court for Arlington County to the United States District Court for the Eastern District of Virginia.

Respectfully submitted this 14th day of March, 2022.

HARRIS TEETER SUPERMARKETS, INC.,

By Counsel

/s/ Joshua Hoffman

Joshua M. Hoffman, Esq. (Bar No. 78597)

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 14th day of March, 2022, a true and accurate copy of the foregoing was filed with the Clerk of Court using the CM/ECF system, and the foregoing was also served via U.S. mail to the following:

Demosthenes Komis, Esquire
KARP, WIGODSKY, NORWIND, KUDEL & GOLD, P.A.
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Rockville, MD 20850

Counsel for Plaintiff

/s/ Joshua Hoffman

Joshua M. Hoffman